

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,

Respondent, No. CR S-93-0016 LKK EFB P

VS.

DONALD F. MARUTZ,

Movant. ORDER

Movant, a federal prisoner proceeding through counsel, has filed a motion to vacate, set aside or correct his sentence pursuant to 28 U.S.C. § 2255. The matter was referred to a United States Magistrate Judge pursuant to 28 U.S.C. § 636(b)(1)(B) and Local General Order No. 262.

On February 4, 2009, the magistrate judge filed findings and recommendations herein which were served on all parties and which contained notice to all parties that any objections to the findings and recommendations were to be filed within twenty days. Neither party has filed objections to the findings and recommendations. On February 23, 2009, the magistrate extended the time for filing objections to March 30, 2009. By that date, no objections had been filed. On March 31, 2009, movant requested an additional extension of the time for filing objections. Because this is the second such request, because the request is untimely, and in

1 light of the undersigned's evaluation of the merits of the magistrate's findings and  
2 recommendations, the court denies movant's request for additional time.

3 The court has reviewed the file and finds the findings and recommendations to be  
4 supported by the record and by the magistrate judge's analysis. Accordingly, IT IS HEREBY  
5 ORDERED that:

- 6 1. The findings and recommendations filed February 4, 2009, are adopted in  
7 full;
- 8 2. Movant's November 30, 2004, Second Amended Motion to Vacate, Set Aside,  
9 or Correct a Sentence pursuant to 28 U.S.C. § 2255 is denied; and
- 10 3. The Clerk is directed to close the companion civil case, No. CIV. S-99-1305

11 LKK EFB.

12 DATED: March 31, 2009.

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15 LAWRENCE K. KARLTON  
16 SENIOR JUDGE  
17 UNITED STATES DISTRICT COURT  
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